

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

IN RE: §
ACTION RESTORATION, INC. § CASE NO. 14-10620
§
§
DEBTOR. § CHAPTER 11
§

DEBTOR'S APPLICATION TO EMPLOY SEARCY & SEARCY, P.C.
AS COUNSEL FOR THE BANKRUPTCY ESTATE

NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS APPLICATION SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING UNLESS IT DETERMINES THAT AN EVIDENTIARY HEARING IS NOT REQUIRED AND THAT THE COURT'S DECISION WOULD NOT BE SIGNIFICANTLY AIDED BY ORAL ARGUMENT. IF YOU FAIL TO APPEAR AT ANY SCHEDULED HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Action Restoration, Inc. (the "Applicant" and/or "Debtor"), and would make this its Application to Employ Searcy & Searcy, P.C. as Counsel for the Bankruptcy Estate (the "Application"), and in support thereof respectfully represent as follows:

I.

On December 11, 2014, Debtor commenced this Bankruptcy Case by filing a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.

II.

Applicants herein desires to employ the law firm of **Searcy & Searcy, P.C.** to appear for, prosecute and defend Debtor in the above referenced bankruptcy proceeding, including general preparation, advice to Debtor, preparing and filing the petition, preparing and filing all Schedules, Disclosure Statements, Plan of Reorganization, determining the status of executory contracts, reviewing claims, attending creditors' meeting, responding to and appearing at motions on contested matters and for any further actions that may arise.

III.

Applicant is informed and believes that the law firm of Searcy & Searcy, P.C. has extensive experience in bankruptcy, corporate reorganization and general debtor/creditor matters, and the personnel needed to perform the legal services required by this estate.

IV.

Based upon the Declaration attached hereto, Applicant believes that the law firm of Searcy & Searcy, P.C., its members and associates, do not hold or represent any interest adverse to that of Applicant's or the Debtor's estate; and that the law firm is a disinterested party within the meaning of 11 U.S.C. §101(14) with respect to the services for which said firm is being sought to be hired.

V.

The Debtor paid a pre-petition retainer in the amount of \$61,717.00. This amount is held in trust pending future approval of fees and expenses by the Bankruptcy Court. Applicant is informed that the normal hourly billing rates of the law firm of Searcy & Searcy, P.C. at the time

of this Application are \$400.00 per hour for services rendered by Jason R. Searcy as a senior attorney; \$275.00 per hour for services rendered by Joshua P. Searcy as partner and associate attorney; \$200.00 per hour for services rendered by Callan C. Searcy as associate attorney; and \$100.00 per hour for paraprofessionals. The law firm of Searcy & Searcy, P.C. will file applications for approval of their fees and expenses in accordance with the Rules of Bankruptcy Procedure, the Local Rules, and 11 U.S.C. § 331.

VI.

Applicant seeks approval of the employment of Searcy & Searcy, P.C. as Counsel for the Bankruptcy Estate since the inception of this case and continuing through the further administration of this estate. Applicant respectfully represents that its intention is not to obviate any observance of Court approval as prescribed by 11 U.S.C. 330(a)(2), but submit that such approval, is reasonable, equitable and in the best interest of this estate.

VII.

Applicant further submits that to the best of its knowledge and belief, such approval does not impair or prejudice any party in interest.

A Rule 2014 Declaration of Jason R. Searcy is attached hereto.

A Disclosure of Compensation of Jason R. Searcy is attached hereto.

WHEREFORE PREMISES CONSIDERED, Applicant prays for an Order of this Court approving the employment of Searcy & Searcy, P.C. as counsel for the bankruptcy estate to render legal services in the areas described above with compensation to be paid as stated in this Application.

SIGNED this the 12th day of December 2014.

Respectfully submitted,
SEARCY & SEARCY, P.C.

/s/ Callan C. Searcy
Jason R. Searcy, State Bar # 17953500
jsearcy@jrsearclaw.com
Joshua P. Searcy, State Bar #24053468
joshsearcy@jrsearclaw.com
Callan C. Searcy, State Bar #24075523
ccsearcy@jrsearclaw.com
P.O. Box 3929
Longview, Texas 75606
Tel. 903 757 3399
Fax. 903 757 9559
ATTORNEY FOR DEBTORS

APPROVED BY:

ACTION RESTORATION, INC.

By: /s/ Susan Rising
Susan Rising, President

CERTIFICATE OF SERVICE

I, the undersigned, certify that a true and correct copy of the above and foregoing was served via electronic means, if available; otherwise, served via regular first class mail to each interested party on the attached service list, on or before the 12th day of December 2014.

/s/ Callan C. Searcy
Callan C. Searcy